

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

CHRISTOPHER BLACKWELL, #1757862 §

VS. § CIVIL ACTION NO. 6:13cv297

TROY G. FOX, ET AL. §

ORDER OF DISMISSAL

Plaintiff Christopher Blackwell, an inmate confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed this lawsuit pursuant to 42 U.S.C. § 1983 complaining that he had not been released on parole or mandatory supervision. He sued various Texas Parole Board officials. The complaint was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that complaint is barred by *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). *See also Jeffery v. Owens*, 216 Fed. Appx. 396, 397 (5th Cir. 2006) (extending *Heck* to decisions denying an inmate early release). The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Plaintiff's civil rights complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1). It is further

ORDERED that the Plaintiff's possible habeas claims are **DISMISSED** without prejudice.

It is further

ORDERED that all motions not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 16th day of April, 2013.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE